

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-24 are presently active in this case. Claims 1-8 and 15-18 are allowed. The present Amendment amends Claims 9 and 19 without introducing any new matter.

In the outstanding Office Action, Claims 9, 11-12, 19 and 21-22 were rejected under 35 U.S.C. §102(b) as anticipated by the English translation of Imada et al. (English translation of Japanese Patent Application JP 61-112106, translation provided by U.S.P.T.O, herein "Imada"). Claims 1-8 and 15-18 were allowed, and Claims 10, 13-14, 20 and 23-24 were indicated as allowable if rewritten in independent form.

Applicants acknowledge with appreciation the indication of allowable subject matter. However, since Applicants consider that independent Claims 9 and 19, from which Claims 10, 13-14, 20 and 23-24 depend, define patentable subject matter, Claims 9 and 19 are maintained in dependent form at the present time.

Claim 9 is amended to recite "optical fiber guide sections ... being movable so as to facilitate the optical fiber to be received in the butt alignment grooves by lifting and lowering the optical fiber." Independent Claim 19 is amended to recite a similar feature. These features find non-limiting support in the disclosure as originally filed, for example at page 10, lines 6-22 and in corresponding Figure 10, therefore the changes to Claims 9 and 19 are not believed to raise a question on new matter.

In light of the amendments to independent Claims 9 and 19, Applicants respectfully request reconsideration of the rejection of Claims 9, 11-12, 19 and 21-22 under 35 U.S.C. §102(b), and traverse the rejection, as discussed next.

Briefly recapitulating, Claim 9 relates to an optical fiber axial alignment device for axially aligning at least one pair of opposing optical fibers composed of bare optical fibers,

optical fiber strands, unit cores or plural cores of optical fiber core wires, and tape shaped optical fiber core wires. The optical fiber axial alignment device includes: a butt alignment section having at least one pair of butt alignment grooves formed apart from one another with a given distance in an opposing relationship on a substantially straight line; and optical fiber guide sections, each having at least one pair of guide grooves, being disposed on both sides of the butt alignment section, and being movable so as to facilitate the optical fiber to be received in the butt alignment grooves by lifting and lowering the optical fiber.

A non-limiting embodiment of the above structure as disclosed in the Specification is next explained. When optical fibers to be fusion-spliced with each other are placed on the butt alignment section, it is not easy to fit the optical fibers into the butt alignment grooves of the butt alignment section. However, in accordance with Claim 9, the optical fiber that has been placed on the butt alignment section can be lifted therefrom and subsequently lowered thereon by the optical fiber guide sections, thereby facilitating secure alignment of the optical fiber in the butt alignment grooves and coaxial alignment with the associated optical fiber that has to be fusion-spliced, as explained in Applicants' specification at page 10, lines 6-22.

Turning now to the applied reference, Imada discloses a fusion splicing device, wherein optical fibers that will be fusion-spliced can be aligned with each other by the use of adjusting screws.¹ Imada also describes a lift member 33 that can be driven to move in the vertical direction, perpendicular to the optical fiber.² However, Imada fails to teach or suggest optical fiber guide sections *disposed on both sides of the butt alignment section*, as recited in amended Claim 9. Imada's lift member 33 is merely provided in a stage 3, and the stage 2 does not have such a lift member 33. In addition, Imada also fails to teach or suggest that the optical fiber guide sections are movable so as to facilitate the optical fiber to be received in the butt alignment grooves by lifting and lowering the optical fiber. Imada's lift

¹ See Imada at page 2, lines 25-29, and in Figures 1 and 2.

² See Imada at page 2, lines 33-35.

member 33 can merely elevate a holder 34 holding an optical fiber F2.³ A lift member moving a fiber holder back and forth, as taught by Imada, *is not* optical fiber guide sections that are movable so as to facilitate the optical fiber to be received in the butt alignment grooves of the butt alignment section, by lifting and lowering the optical fiber, as claimed in Claim 9.

In addition, Imada explicitly recites that "[o]n said moving table (22), mounting member (23) with an inverted-L shape as its front view *is fixed*" (emphasis added).⁴ Accordingly, Imada's mounting member 23 cannot move in relation to the movable table 22, while the optical fiber guide section 21 can move independently in relation to the holder section pedestal 27 or the optical fiber holder section 11. Therefore, Imada fails to teach or suggest Applicants' claimed optical fiber guide sections, being movable so as to facilitate the optical fiber to be received in the butt alignment grooves by lifting and lowering the optical fiber.

Independent Claim 19 recites features similar to the limitations recited in independent Claim 9. Accordingly, for the reasons stated above for the patentability of Claim 9, Applicants respectfully submit that the rejection of Claim 19, and all associated dependent claims, are also believed to be overcome in view of the arguments regarding independent Claim 9.

Therefore, the applied reference fails to teach or suggest every feature recited in Applicants' claims, so that Claims 9, 11-12, 19 and 21-22 are patentably distinct over the applied reference. Accordingly, Applicants respectfully traverse, and requests reconsideration of, the rejection based on Imada.⁵

³ See Imada from page 2, line 30, to page 3, line 4, and in corresponding Figures 1 and 3.

⁴ See Imada at page 2, lines 24-25.

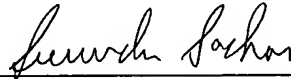
⁵ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-24 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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